

A REPORT

OF A

COMMITTEE OF THE HUMANE SOCIETY, ^{New}
_{York}

APPOINTED

TO INQUIRE INTO THE NUMBER

OF

TAVERN LICENSES;

THE MANNER OF GRANTING THEM; THEIR EFFECTS UPON
THE COMMUNITY; AND THE OTHER SOURCES OF
VICE AND MISERY IN THIS CITY;

AND

TO VISIT BRIDEWELL.



NEW-YORK;

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J. M. Franck

from
St. Louis

THE
MEMBERS OF THE HUMANE SOCIETY
TO THE
CITIZENS OF NEW-YORK.

FELLOW-CITIZENS,

ASSOCIATED for the purpose of relieving the indigent, our attention has been naturally drawn to the causes which produce the extreme poverty and misery, which have so much increased among our labouring poor. Of these it appeared to us, that the most prominent, were the excessive multiplication of petty taverns, and the injudicious system of confining in the same apartments of our prison persons suspected or convicted of various degrees of guilt. To obtain more perfect information in relation to these subjects, we lately appointed a committee to investigate them; and their report, containing facts which are not generally known, but which we think important to the community, we now lay before you, hoping that when your attention shall be awakened to a consideration of the evils which it details you will concur in endeavouring to effect a radical reform.

In order to devise a plan for this purpose, we have determined to request the charitable societies of the city severally to appoint committees to

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meet each other at the New-York Free School, on Wednesday, the tenth day of January next, at four o'clock, P. M. Feeling, as they must, the magnitude of the evils complained of, and necessarily conversant with such subjects, we hope that a well digested system will be the result of their joint labours; and in that case we confidently hope for the united support of the community in giving it effect.

To destroy inveterate abuses, and to introduce salutary reforms, is always attended with difficulty. The public must not only be convinced of the necessity of a change, and the propriety of the one recommended, but they must also be persuaded to act with earnestness and vigour. We therefore anxiously request your assistance in the work which is proposed for the common benefit, in the accomplishment of which every good citizen of whatever rank, party, or condition is seriously interested.

By order of the Humane Society,

M. CLARKSON, *President.*

December 27, 1809.

TO THE
HUMANE SOCIETY.

THE committee appointed to inquire into the number of tavern licenses; the manner of granting them; their effects upon the community; and the other sources of vice and misery in this city; and to visit the Bridewell,

Respectfully report,

That to investigate fully *all* the sources of vice and misery existing in this populous city, would require an acquaintance with facts, more extensive than they possess, or have been able to acquire. They have therefore directed their attention principally to the objects more particularly mentioned in the resolution by which they are appointed.

By a just and inflexible law of Providence, misery is ordained to be the companion and the punishment of vice; and in proportion as a community is corrupted, physical as well as moral evil is introduced and propagated among them. Hence it is a duty which every society owes as well to the individuals who compose it as to the Great Governor of all, to preserve the purity of the public morals, and to abstain from permitting, and still

more from authorizing, whatever may tend to deprave the manners, or destroy the principles of its members.

Supposing these observations to be correct, the committee think that no existing evil requires a more prompt and effectual remedy, than the excessive number of licenses for retailing spirituous liquors which are annually granted in this city.

By the charter of the city the mayor is authorized to grant licenses to whom and to as many as he thinks proper. He receives for each the sum of forty shillings, of which he retains nineteen for himself, and pays the residue into the city Treasury. By a law of the state all persons selling spirituous liquors in smaller quantities than five gallons must also receive a license from the commissioner of excise, who determines the sum to be paid therefor at his own discretion, provided it be not less than five nor more than fifty dollars.—From the money thus raised, the commissioner is permitted to retain five hundred dollars per annum, and the residue belongs to the corporation.

Under these regulations, upwards of *seventeen hundred* tavern licenses were, during the last year, granted by the mayor, and above *eighteen hundred* licenses to retail spirituous liquors are yearly issued by the commissioner.

This astonishing number cannot be required for the accommodation of the citizens, or the convenience of strangers.

From information obtained from the mayor's office of Philadelphia, it appears that the whole number of persons licensed to keep taverns, including beer-houses, and to sell liquors by retail, in that city, amount only to one hundred and ninety, and that in the county of Philadelphia (comprehending the suburbs of the city, several considerable towns and villages, and a large tract of country) there are two hundred and forty. No doubt, however, is entertained but that a great number of persons in *both* cities retail liquors without any authority or license.

The committee think that the bare statement of these facts is sufficient to prove the existence of an evil at once injurious and disgraceful to this city, and the more the subject is investigated, the more enormous and destructive does that evil appear. It causes, or aggravates the misery and poverty of most of the labouring poor; it fills the list of unfortunate debtors maintained by this Society; it crowds the alms-house, the hospital, the state, and the city prisons.

Inns must be provided for travellers, and it may be thought expedient to permit some places in which those who are unable to purchase much liquor at a time may procure it in smaller quantities. But the great mass of those who take licenses, have neither the desire, nor the means to entertain guests. They vend their liquors in little shops situated generally in obscure streets, and

often in cellars. Their only object is to acquire profit, and to this end every artifice is employed by which the labourer may be enticed to squander, in intoxication, those earnings by which his family should be supported. Hence these petty taverns exhibit perpetual scenes of riot and disorder. Hence law suits, and criminal prosecutions. Hence that day which the religion and laws of the country have set apart for the public worship of God is openly profaned. In houses of this description, liquor is constantly sold on that day, in defiance of the law. And the poor, instead of spending the time allotted them for rest from their labour, and the service of their Maker, are encouraged to devote it to intoxication and profanity.

These enormities, so fatal to the health and morals, and frequently to the life, of the individuals who commit them, and so contrary to law, both divine and human, cannot but be disgraceful, and will ultimately prove ruinous to the people among whom they are tolerated.

Supposing that the city contains fourteen thousand families, which is a probable calculation, it will appear that *one seventh* of the inhabitants are maintained by selling poison to the rest. Can it be wise, can it be consistent with duty, thus to distribute incentives to vice through every street in the city?

The habit of drinking ardent spirits enervates the mind, sours the disposition, inflames the

passions, renders the heart callous to the feelings of humanity, and leads to the neglect and violation of the social duties. It lays the foundation of many diseases, and makes many others terminate fatally which would otherwise yield to the application of remedies. By many whose opinions deserve weight, it has been thought as destructive to the human species as the sword : and in this country, certainly, it furnishes death with more victims than all the other causes of premature mortality.

Many of these considerations acquire additional force when the form of government and political institutions of our country are taken into view. The annals of history attest, that almost every free state of antiquity lost its liberty in consequence of the corruption of the lower classes of its citizens : and scarce an instance can be found of a popular government which has survived the morals and manners of its people.

Surely then every one who is interested in the preservation of the peace, the welfare, and the liberty of his country, every one who reflects on the spirit, the laws, and the sanctions of the holy religion which he professes, must be impressed with the necessity and duty of endeavouring to arrest the progress of so destructive a vice, and to lessen the practice of unnecessarily granting licenses for the express purpose of furnishing his

fellow-citizens with a poison so fatal and so baneful in its effects.

There can be no hope of accomplishing this most important and desirable object, while the present system is continued of licensing petty taverns and grog-shops, the nurseries of intemperance, disorder and profligacy. With the wisdom of the Corporation of this city, and of the Legislature, this business must ultimately rest. It cannot be supposed that they will regard with indifference a subject which involves so deeply the health, the morals, and the happiness of their fellow-citizens.

The committee therefore forbear to detail any system for correcting the evil they complain of, further than to suggest the propriety of applying to the Legislature for an act, so to enhance the expense of obtaining licenses, to retail spirituous liquors in the city of New-York, as to diminish the number of applicants for them.

The committee also think it would be useful to license beer-houses, and to permit small liquors and cider only to be sold in them. Houses of this description are licensed in the neighbouring states, but there is no regulation concerning them in this.

In obedience to the latter part of their instructions, the committee have visited the Bridewell or City Prison. It contained 165 persons, of whom 93 were men, and 72 women.

In one apartment were confined the male prisoners, accused of burglary and other atrocious crimes, and who had not yet been tried, together with some convicts. Their situation was tolerably comfortable, and attention seemed to have been paid to keep them clean.

Another apartment contained all the female prisoners, vagrants, prostitutes, women sentenced to imprisonment for 30 and 60 days, female paupers who had misbehaved in the Alms-house, and those committed on suspicion only. Black and white, sick and well, of all ages from infants at the breast to seventy years old, were here indiscriminately mingled together. Several of these women were destitute of a garment of any kind, and had nothing but a dirty blanket wrapped round them. Most of the others were very ragged, and all extremely dirty. Few had sufficient covering for the night, and they lay promiscuously on the floor. Their countenances were in general wan and sickly, and the air of the room was intolerably bad. Two of the white women and one of the blacks were insane, and seemed to be occasionally treated as objects of diversion by the others.

The provisions allowed them, are a portion of meat with potatoes, but without bread, every other day; the residue of the time they have mush and molasses twice a day. This is brought in by the keeper, and set on the floor in a tub, round

which the prisoners place themselves ; spoons and tin cups are furnished to some of them, but the greater number are without any. One woman is appointed by the keeper to preserve order, and is styled the captain, and she exercises the whip on her fellow-prisoners at discretion.

The committee could not help noticing an object of peculiar wretchedness, named Eliza Butler, once said to be a decent woman, and wife to the master of a vessel, she was formerly in the Alms-house, but was two years ago transported to Bridewell. Having been dreadfully burnt, her appearance is too shocking to describe. She is subject to fits, and occasionally insane, and when in that condition often beats her room mates.—She lately almost killed a child.

The situation of the men's apartments was so similar to that of the one already described, that the committee forbear to detail their observations at length. In one of the rooms, containing both blacks and whites, the captain was a negro, and said that he was often obliged to strip and whip his companions. In a corner of one room was a man, by orders of the captain, in heavy chains. Several boys, from twelve to fifteen years of age, were confined among these men. On the ground floor of the prison was a miserable wretch, of the name of Paul, a native of New-Jersey : he is blind and insane, has no bed, but lies upon the floor and uses a block for his pillow. The keeper stated

that when furnished with a shirt the rats soon eat it off. He is sometimes very unruly, and the persons confined with him, being often drunk, frequently beat and abuse him. Battles, it was said, frequently ensued, in which his great strength was a subject of remark.

Why or when this man was confined in this horrible place, the committee are ignorant. The keeper informed them that he found him there upon his appointment to office, which was ten years ago.

In all the apartments persons committed on suspicion, though not yet indicted, are confined promiscuously with those who have already been convicted; and most of the prisoners, of both descriptions, are employed in picking oakum.

It is needless for the committee to make many remarks on the foregoing statement of the condition of this prison; and they are convinced that no remedy can be introduced with any effect, while the present system is pursued. We lose sight of the misery these poor objects of our commiseration undergo, when we reflect on the consequences of confining a number of young inexperienced persons, and sometimes innocent, with hardened old offenders. Here every sort of corruption is generated that it is in the power of wickedness and poverty to produce. The old corrupt the young; the lewd inflame the more modest; and the audacious harden the timid.

Every one fortifies his mind as far as he is capable against his own remaining sensibility, endeavouring to practise on others the arts that are practised on himself. In this condition, corrupted and corrupting, imprisonment, instead of amending the culprit, serves, by the contagion of bad example, and the exasperation of bad passions, to render him *an hundred fold more vicious and untractable.*

Shall these irregularities, which are the cause of so much misery, disease, and all kinds of crimes and wickedness, be suffered to exist among an enlightened people, celebrated for their humanity, and making a profession of the mild virtues of the Christian religion ?

By an act of the Legislature of this State, passed March 30th, 1802, the Corporation were authorized to erect a prison for solitary confinement. The act directs that persons convicted at the Court of Quarter-Sessions of petit larceny, shall be confined in the said prison at the discretion of the Court, not exceeding ninety days.

If the Corporation could be prevailed on to erect this prison, and if the law could be amended so as to allow Justices of the Peace, who are authorized to act under the laws respecting vagrants and for the suppression of vice and immorality, to send petty offenders to this prison to be confined in a solitary cell on a low diet for a short term or not exceeding thirty days, the Commit-

tee are decidedly of opinion that it would be of great public utility, and (as far as small crimes can be prevented in a populous city) that it would more effectually prevent their commission than any other system of punishment that has been devised. It would be more honourable to the city and state, and more economical; and what is of far superior consequence, it would much conduce to the reformation of the offender: left to reflect in solitude and silence, his thoughts will be naturally directed to his present condition, and past conduct, and *it is possible* he may become sensible of his wickedness and folly, and by feeling the bitter pangs of remorse, be induced when discharged to amend his life.

THOMAS EDDY,
 PETER AUGUSTUS JAY,
 JOHN H. HOBART,
 J. MORTON.

12th month (December) 26th, 1809.

Med. Hist.

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